IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25098 of 2004

Between:

Nallamilli Venkata Reddy S/o Satyanarayana
Main Road, Ramachanddrapuram East Godavari District

..... PETITIONER

AND

1 The Commissioner, Excise Department, A.P., Hyderabad
2 The Deputy Commissioner Excise Department,

Rajahmundry East Godavari District
3 The Superintendent Excise Department Kakinada, East Godavari District
4 The Circle Inspector of Excise, Ramachandrapuram, East Godavari District
5 Sri Sri Amrutha Restrurant Keder Complex, Main Road,

Ramachandrapuram East godavari District
rep by Nandula Suryanarayana @ Raju

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 and 4 in processing the application for grating of licence in favour of the 5th respondent ignoring the objection dt 30-102004 of the petitioner and also the pendency of Civil suit No. O.S. No. 431/2004 on the file of the Principal Junior Civil Judge's Court Ramachandrapuram, E.G. District as illegal arbitrary and contrary to the provision of the prohibition & Excise Act, and rule there under consequently direct the respondent to consider the objection of the petitioner before granting licence in favour of the 5th respondent.

Counsel for the Petitioner: MR.T.V.S.PRABHAKARA RAO

Counsel for the Respondents 1 to 4: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.5: MR.N.SIVA REDDY

This Court at the stage of admission made the following:

ORDER:

It is submitted by the learned counsel for the petitioner that the subject matter of this writ petition has become infructuous.

Recording the same, the writ petition is dismissed as having become infructuous.

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25.04.2005

dr/tvr

To

1 The Commissioner, Excise Department, A.P., Hyderabad
2 The Deputy Commissioner Excise Department,

Rajahmundry East Godavari District
3 The Superintendent Excise Department Kakinada, East Godavari District
4 The Circle Inspector of Excise, Ramachandrapuram, East Godavari District
5 2 CCs to Government Pleader for Prohibition and Excise,

High Court Buildings, Hyderabad. (OUT)

6 2 CD copies